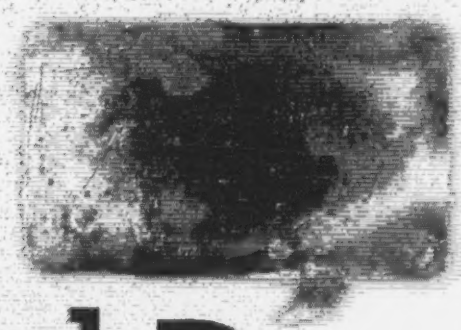
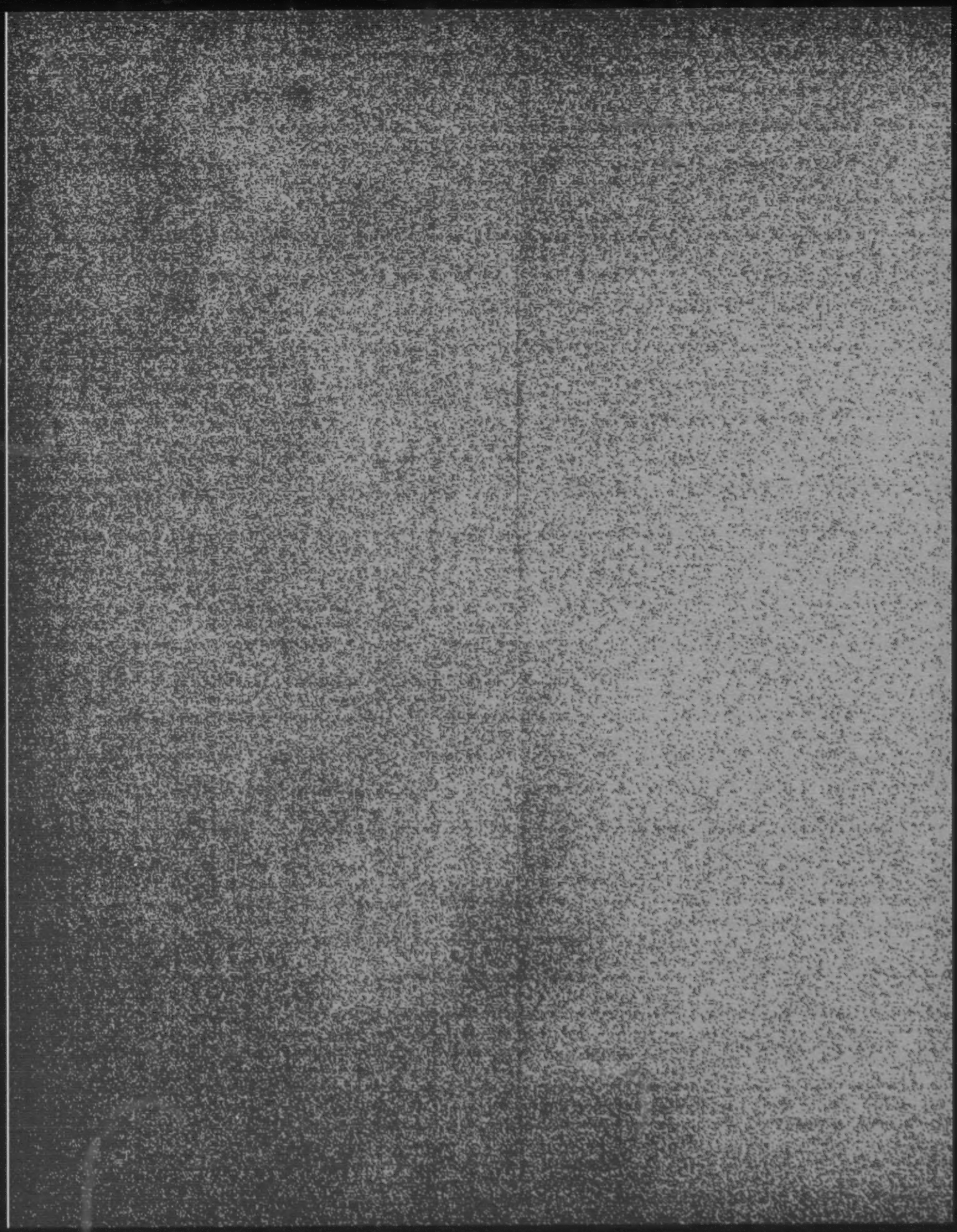
Say yeah, What about my say?
FAIR
what YOU had to tell someone happened
SAY YOU WILL.
SOME SAY. I SAY SO.
You say,
SAY anything Say you're RIGHT.



Annual Report

Office of the Child and Youth Advocate 2008–2009

Government of Alberta ■

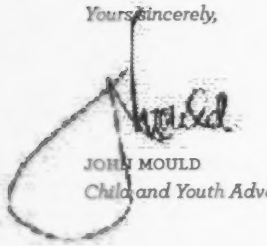


The Honourable Janis Tarchuk
Minister of Children and Youth Services
Executive Branch
228 Legislature Building
10800–97 Avenue NW
Edmonton, Alberta T5K 2B6

Dear Minister:

I am pleased to present you with the Annual Report of the Child and Youth Advocate. This Report covers the fiscal year ending March 31, 2009.

Yours sincerely,



JOHN MOULD
Child and Youth Advocate

Table of CONTENTS

06 **Child and Youth Advocate's Comments**

08 **Office Highlights 2008–09**

Budget

Information Systems Support

Legal Representation for Children and Youth Audit Initiative

Communications Initiative

10 **Advocacy Services (personal SAY) 2008–09**

Advocacy Issues Identified in 2008–09 Quarterly Reports

12 **Legal Representation for Children and Youth Services (legal SAY) 2008–09**

Accountability/Continuous Improvement of Services

Guidelines for Role of Counsel

Youth Feedback on Legal Services

15 **Systemic Issues 2008–09**

38 **Appendix A**

So we are not alone: The Office of the Child and Youth Advocate Feedback Project Summary Report

41 **Appendix B**

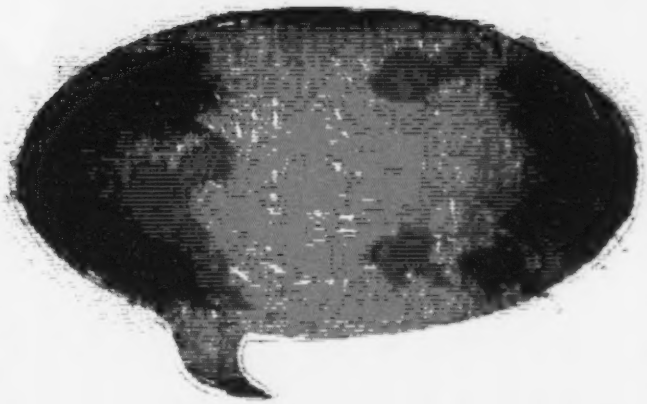
Summary of *Education Results for Children and Youth in Care*

46 **Appendix C**

Legislation Governing the Child and Youth Advocate

47 **Appendix D**

Organizational Chart 2008–09



Child and Youth Advocate's Comments

Being heard, and being understood in the way one intends, is always a challenge. Meeting that challenge depends on one's relationship and past experiences with the listener and on the listener's expectations and receptivity.

In this reporting year, my office has encountered a number of communications challenges; challenges that have provoked a quest to discover more, better, and innovative ways to convey information to our various audiences.

I'm attempting to address one such challenge in this year's Annual Report by presenting information about the systemic issues identified by the Advocate in a different format.

Each issue is now identified either as [redacted], or [redacted] —that is, it has been identified as an issue previously by the Child and Youth Advocate and continues to be an issue. As well, there are two [redacted] issues- one concerning placement and one concerning permanency. Because these are of such overriding importance to young people in care generally, they will be reported on annually. This Report highlights two issues in each of these topic areas and each of these is also identified as new or on-going.

For every on-going issue, I will indicate whether the issue is resolved, or whether progress is being made in addressing the issue. In instances where there is no apparent progress and/or whether there is, from my perspective, some urgent action required, specific recommendations will be made. In this Report, I have taken the step of making formal recommendations to the Minister of Children and Youth Services on two issues.

This Report provides examples of the types of issues with which young people request advocate assistance, and which are reflected in the Quarterly Reports the Advocate provided to the Child and Family Service Authorities and the Delegated First Nation Agencies during the reporting year. These reports can be seen in their entirety on the Child and Youth Advocate's website (www.advocate.gov.ab.ca).

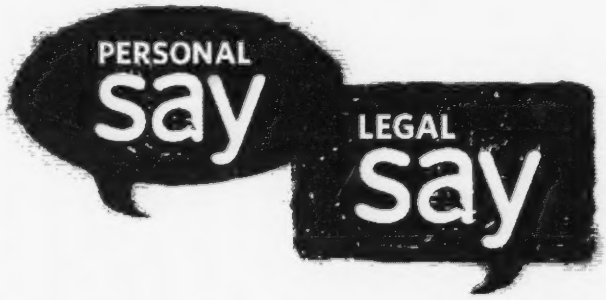
I would particularly draw the reader's attention to **Appendix A** which provides the Executive Summary of a research project completed in November 2008. The purpose of the project was to obtain firsthand information from young people who had been provided advocacy supports by this office. The goal was to hear about their experience of receiving services from us and to understand whether they felt those services made a difference in their lives. We also wanted to know how they thought advocacy support services can be improved. For those who are interested, the full document resulting from the research is available on the Child and Youth Advocate website (www.advocate.gov.ab.ca).

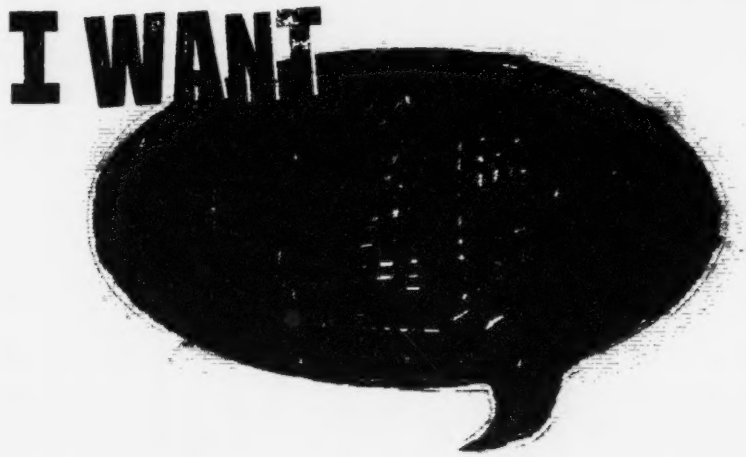
Our role is to give the young people we serve an opportunity to **SAY** *for themselves,* a chance to be heard.

In the summary, the researcher writes, "Youths seek out advocacy services during periods of crisis and they come to rely on advocacy services to help them feel less alone and more empowered as they attempt to have their needs met by influencing decisions made about their lives." I think it is worth repeating here what has been said in previous reports of the Child and Youth Advocate – that our Office does not interact with young people who are satisfied with what is occurring in their lives. That young people disagree with decisions made about them is not surprising. At various times we all (children and adults alike) disagree with someone or something. For young people in care, it is important they have access to a resource "in times of crisis" that helps them be heard and considered in the decision processes that affect their lives.

Finally, this Annual Report introduces a new look for our office which is illustrated throughout the document. Spike, who has served us well as the unique visual identifier of our services to young people, has been retired and the new visual identifier is SAY, specialized advocacy for youngPeople. SAY gets to the heart of what the Advocate does in one simple word. Our role is to give the young people we serve an opportunity to SAY for themselves, a chance to be heard.

Through the pages of this Report, you will be introduced to our new communications materials that speak the language of the young people we serve. In addition, we're introducing new and friendlier terms for the two sides of our office: Advocacy Services will gradually become known as **personal SAY,** while Legal Representation for Children and Youth (LRCY) becomes **legal SAY.**





Office Highlights 2008–09

Budget

The office expended a total of $6,840,000 in this fiscal year. Budget expenditures were impacted by: the implementation of a fee increase for legal representation of children and youth; increased costs to the office for legal advice; new costs required to develop a comprehensive communications plan and materials to support both Advocacy and Legal Representation for Child and Youth (LRCY) services and costs attributed to the development of quality assurance processes in both Advocacy and LRCY.

Information Systems Support

Systems development in this fiscal year focused on:

- enhancing the capacity of the System for Individual Advocacy Management (SIAM) to capture information and provide a mechanism for documentation that supports the implementation of advocacy service standards and the measurement of those standards, and
- building reporting capacity that enhances the ability of the LRCY service to monitor service standards for lawyers and program standards.

The Child and Youth Advocate has not yet been successful in securing resources as requested in the 2006 Business Case for the build of a fully functional information system to support the LRCY service.

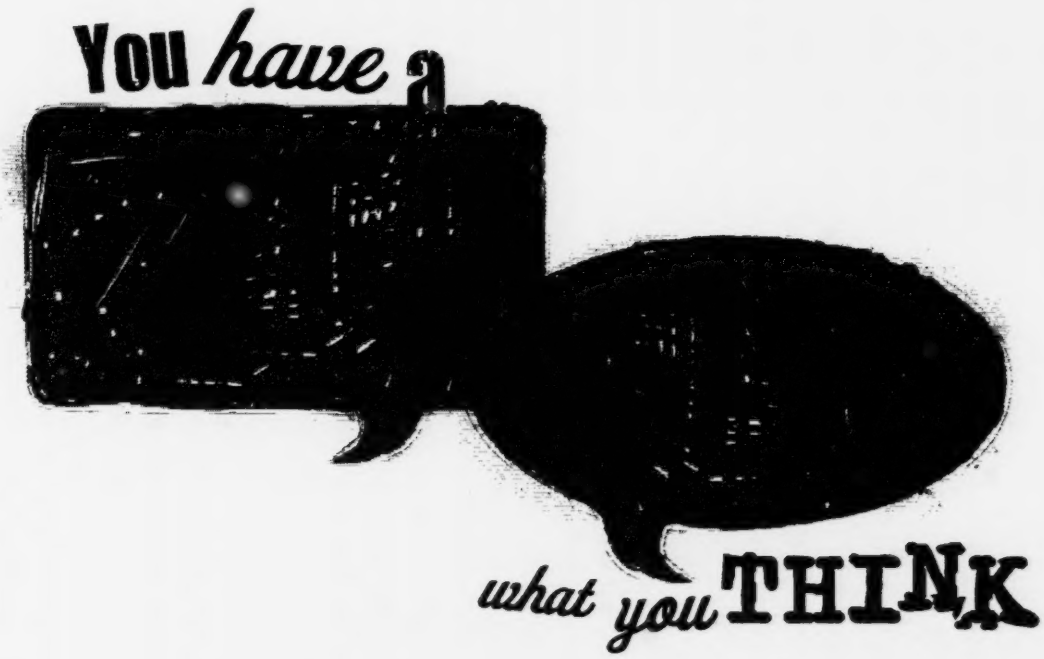
Legal Representation for Children and Youth Audit Initiative

The Risk Management and Strategic Initiatives Unit of the Department of Children and Youth Services was asked to review the processes and controls related to the LRCY services provided through the Child and Youth Advocate. The review was conducted and concluded in 2008–09.

The objective of the review was to provide assurance to the Child and Youth Advocate that:

1. There are adequate and appropriate processes and controls in place around service delivery and payment for services;
2. These processes and controls are being followed; and
3. There are sufficient reporting and monitoring processes in place for the provision of services.

The final report of the Risk Management and Strategic Initiatives Unit concluded that current LRCY processes and controls are satisfactory to meet the objective of appointing lawyers and paying for their services in a timely manner. The final report notes some areas where efficiencies could be gained in processing and changes have been implemented where possible, pending the development of a fully functional information system to support this service.



Communications Initiative

The Child and Youth Advocate undertook a strategic communications project with the goal of ensuring we are well prepared to effectively communicate services available to young people, and to ensure our communications tools and materials are relevant and appropriately meet young people's needs. Other goals of the project were to showcase the value of the services offered and to respect and realistically represent the young people we serve.

Given these goals and our commitment to involve young people in the work we do, we conducted focus groups with young people and other stakeholders across the province.

Young people told us they want clear and consistent communications that speaks the language of their world using their words.

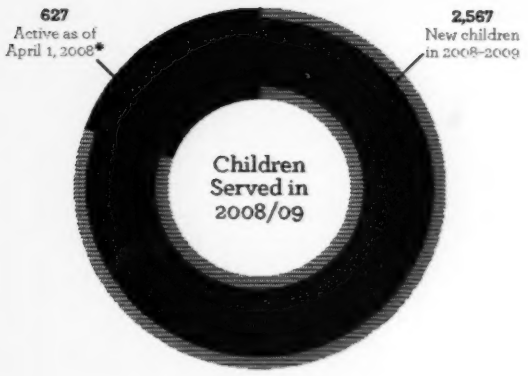
Focus groups with caseworkers, caregivers and LRCY lawyers taught us that we also need to communicate better with our partners, to clarify roles and responsibilities in order to work together better for the sake of the young people we serve.

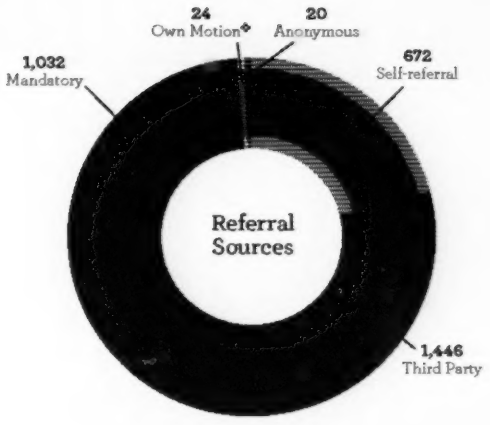
The outcomes of this process—our new identity along with fresh and relevant communications materials—speak directly to young people.

In addition to capturing the core value of the advocacy we provide, the new identity acknowledges that we do not own advocacy. We provide a specialized form of advocacy but need the help of others in the system and in society to also work as advocates for young people to improve outcomes for all children at risk.

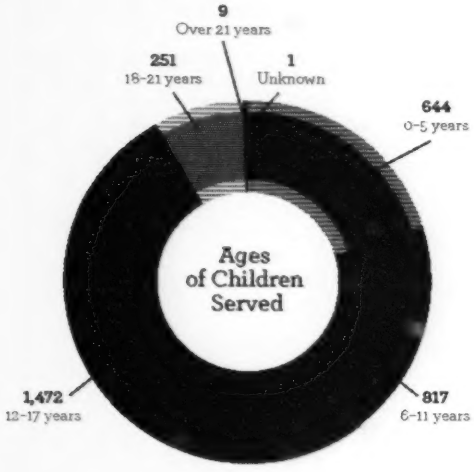
In this Annual Report, we are launching our new identity and throughout the document you will see examples of the new communications materials for young people. We have ensured that materials are targeted to either children or teens. In addition, our new materials better reflect the two sides of the Advocate's office with Advocacy Services becoming **personal SAY,** and Legal Representation for Children and Youth (LRCY) becoming **legal SAY.**

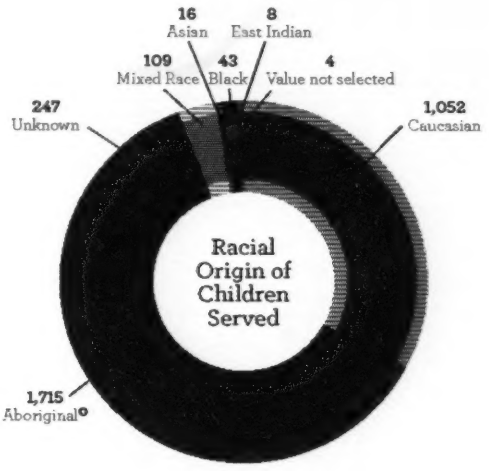
The new materials are being sent out to Child and Family Service Authorities and Delegated First Nation Agencies. It's all part of an ongoing rigorous communications program aimed at explaining what we do and showing how we can help clients and potential clients have a SAY in their lives.





Individual **advocacy services** are underpinned by youth rights and youth voice. Our advocacy activity is characterized by rights education (assisting young people to understand what rights they have and how to exercise these rights) and problem solving (helping young people to use the rights they have to remedy problems they identify that are related to, or stemming from, being "in care.")





* *534 active as of April 1, 2009.*

❖ *Own Motion referrals are those initiated by the Office of the Child and Youth Advocate.*

⊙ *Aboriginal includes Inuit, Métis, Non Status, potential to be Registered, Status Indian and Unknown.*

Advocacy Services

Number of children served in 2008–09 =3,194

In addition to the statistic provided, Advocacy Services received 876 general inquiries between March 31, 2008 and April 30, 2009. Many of these were calls from or about young people who are outside the mandate of the Ministry of Children and Youth Services and therefore outside the mandate of the Advocate, or were from adults (generally parents) asking for resource information. A significant number of these general inquiries were related to custody and access matters.

Advocacy Issues Identified in 2008–09 Quarterly Reports

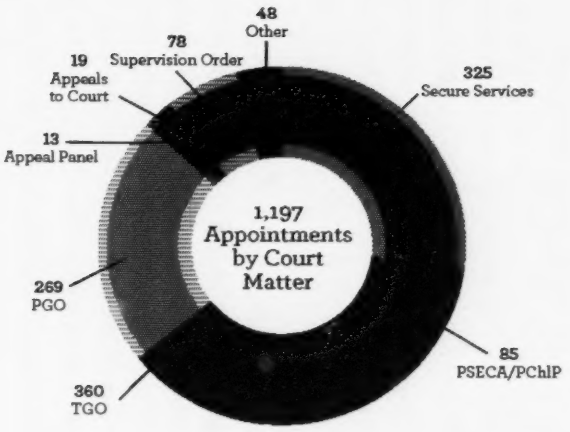
We become involved with young people when they, or others on their behalf, come forward because they disagree with decisions that impact their lives. Each year, Alberta's Child and Youth Advocate interacts with only a portion of the total number of young people receiving services from the Ministry of Children and Youth Services.

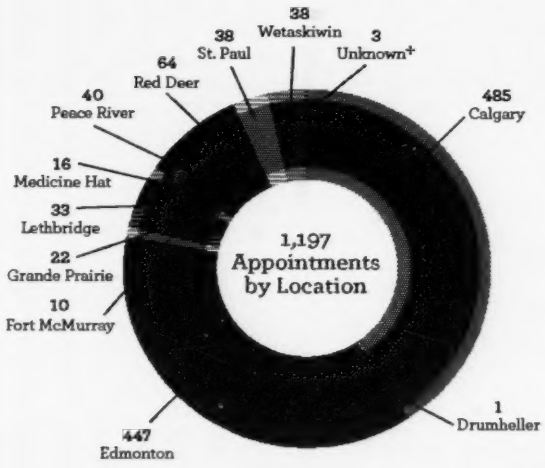
When an advocate provides advocacy support, this is done based on issues identified by the young person. In some cases, young people (due to age or other circumstances such as developmental disabilities) are not able to speak for themselves, so advocates will identify advocacy issues based on information they are able to gather. To track these issues in terms of frequency and type, the Child and Youth Advocate uses a classification system of broad major issues (Education, Legal, Permanency Planning, etc.). Within each major issue, a number of minor issue statements are noted that further define the nature of the issue.

The Child and Youth Advocate produces Quarterly Reports as required by the *Child, Youth and Family Enhancement Act,* Section 3(3)(f). The data from the classification system described above is the primary source of information for the content of the Quarterly Reports which are provided to the respective Child and Family Service Authorities and Delegated First Nation Agencies.[1] The main intent of these Reports is to inform the Authorities and Agencies about the issues that young people from their jurisdiction are bringing to the Advocate. The Quarterly Reports in their entirety can be found on the Advocate's website (www.advocate.gov.ab.ca) .

Our Quarterly Reports are part of a communications process between the Child and Youth Advocate and the individual Authorities and Agencies. They are not intended to be used as a means of problem-solving individual advocacy concerns. The issues identified in the Reports are ones that have been, or are being, addressed through the day-by-day problem solving activity that goes on between the young people, their advocates and the delivery system representatives (usually caseworkers and supervisors). The Reports provide the senior management in the Authorities and Agencies with an indication of the type and range of concerns with which young people in their jurisdictions are requesting advocate assistance.

1 *The Minister of Children and Youth Services receives a summary of the information provided to the Child and Family Service Authorities and to the Delegated First Nation Agencies.*

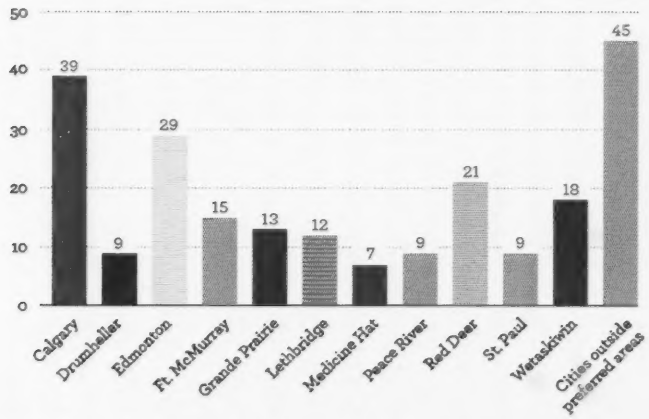




The Legal Representation for Children and Youth service (LRCY) was implemented April 1, 2006. The core purposes of LRCY are:

- to be easily accessible and young person friendly;
- to provide timely legal appointments; and,
- to provide quality legal representation.

Number of Lawyers Available to Accept Offers by Location of Legal Proceeding at March 31, 2009° (Includes Surrounding Areas)



Lawyers can agree to accept offers from one or more jurisdictions, and therefore may not be located in the community in which they serve. This information is not static due to the activity of lawyers coming off and on the roster or lawyers changing their areas of coverage.

+ *Unknown includes unknown or not determined at the time of intake. It also includes communities not noted such as Edson, High Prairie, Camrose, etc.*

° *Snapshot at March 31, 2009 - maximum count of lawyers available to serve in each LRCY jurisdiction*

Legal Representation for Children and Youth Services

Appointments for counsel in 2008–09 = 1,197

LRCY appoints legal counsel to represent children and youth in *Child, Youth and Family Enhancement Act (Enhancement Act)* and the *Protection of Sexually Exploited Children Act (PSECA)* proceedings. LRCY receives referrals from the courts, caseworkers, parents, youth, caregivers and other concerned individuals. When LRCY receives a referral, it is reviewed to determine eligibility and a lawyer is appointed if the referral meets the eligibility criteria.

The LRCY maintains a roster of lawyers from the Private Bar and appointments are carried out on a rotational basis to ensure an independent appointment process.

Lawyers must apply to obtain membership on the roster and there is an annual training requirement to maintain membership.

LRCY has established a rates and tariffs policy to reimburse lawyers for the delivery of legal services.

Specialized agreements to retain lawyers for youth who are confined under the *Enhancement Act* or *PSECA* are in place in Calgary and Edmonton to meet the need to appoint lawyers on short notice.

Accountability/Continuous Improvement of Services

LRCY uses a number of accountability and continuous improvement processes to ensure young people receive quality legal representation.

The following are this year's highlights of LRCY accountability and continuous quality improvement activities:

Lawyer Training
This past year LRCY offered eight "information sessions" on topics requested by the roster lawyers. LRCY also assisted in the organization of brown bag lunches to give roster lawyers an opportunity to discuss relevant case law.

Monitoring of Service Standards
In November 2007, LRCY implemented service standards for roster lawyers. The following spring, monitoring of compliance to those standards was commenced and continued throughout the reporting year. Twenty-three monitoring reviews have been completed and the feedback from the lawyers concerning the process has been positive.

LRCY Service Standards for Lawyers

1. ***Meeting with a Child or Youth***

   Counsel should endeavor to have at least one face-to-face contact with the young person before submissions to the court are made, regardless of whether the young person has the capacity to instruct counsel.

   Counsel is required to have at least one contact with the child or youth after the court has made a determination of the matter to explain the outcome of the decision, exceptions may be made if the child does not have the capacity to understand the decision.

2. ***Gathering Information***

   Lawyers are required to examine all relevant information.

3. ***Representing the Child/Youth's Views in Court***

   Counsel must request that a child/youth's views and preferences are before the court.

4. ***Attending Hearings***

   Counsel is required to attend the initial hearing and all other "hearings of substance".

5. ***Advising of Procedural Rights***

   Counsel must ensure that the youth has been advised of his/her right to attend court, and of his/her right to tell the court what they want to happen.

6. ***Invoicing/Case Reporting***

   Counsel must ensure all invoice and case reporting requirements are met and sent to LRCY within three months of concluding the appointment or within two weeks of the LRCY fiscal year end (March 31st), whichever is earlier.

Guidelines for Role of Counsel

The roles and responsibilities of lawyers appointed to represent children has been the subject of considerable debate in Canada and in many jurisdictions around the world, notably in New Zealand, in New South Wales in Australia, and in the United States through the American Bar Association. Interest in the issue has existed among Alberta family law lawyers for years.

Currently, there are no guidelines or rules within the legal profession in Alberta about the role of children's counsel and lawyers are guided primarily by professional opinion and judgment. In the absence of regulation by the profession, during this reporting year LRCY initiated development of a framework to guide decision making about the (roster) lawyer's role when representing young people.

A discussion paper on the role of counsel appointed by LRCY was prepared and widely distributed. LRCY stakeholders, including judges, lawyers, caseworkers and youth were invited to provide comments on the issues identified in the paper. Consultation meetings were held with stakeholders groups. An Interim Report was prepared which summarized the comments received during the consultation processes and policy recommendations were made based on those comments. That Report was circulated to roster lawyers and judges who were given the opportunity to respond. Policy guidelines were then drafted and circulated to roster lawyers. The guidelines will continue to evolve but the process, to date, has allowed for rich discussion and debate and represents one of the first attempts in Alberta to define this role.

Youth Feedback on Legal Services

LRCY has recently developed a client feedback process to hear from young people about their legal representation experiences. The information gained from this process will assist LRCY and roster lawyers to understand the expressed needs of young people which can then be considered by lawyers in their practice and by LRCY in the development of policies and procedures.

Systemic ISSUES 2008-09

STANDING

16 **Issue 1: Permanency for Young People in Permanent Care**

ON-GOING

16 a Permanency defined as placement other than in the care of the Director

ON-GOING

18 b Permanent placements for young people in permanent care

STANDING

20 **Issue 2: Placements for Young People in Care**

ON-GOING

20 a Placement availability

NEW

22 b Kinship care placements

ON-GOING

24 **Issue 3: Response to and Recording of Protection Reports about Young People Already in Care**

ON-GOING

26 **Issue 4: Restrictive Procedures and Intrusive Measures**

ON-GOING

28 **Issue 5: Young People with Complex Needs**

ON-GOING

30 **Issue 6: School Completion**

NEW

32 **Issue 7: Replacement of Personal Possessions Lost or Stolen**

NEW

34 **Issue 8: Investigation of Abuse Allegations Against Staff of Government-Run Residential Facilities**

NEW

36 **Issue 9: Policy Restricting Use of Administrative Reviews**

STANDING

1 Permanency for Young People in Permanent Care

Permanency is a persistent systemic issue and has been referenced in the majority of Annual Reports since the inception of the Advocate. In this, and succeeding, Annual Reports the permanency planning initiatives and activities of the Ministry during the particular reporting year will be highlighted.

ON-GOING

a Permanency defined as placement other than in the care of the Director

Background

The 2004 *Enhancement Act* Policy provided a definition of permanency as being, "placement other than in the care of the Director." From the Advocate's perspective this definition excluded those young people in permanent care who will never be adopted or made subject of a private guardianship order, from any Ministry policy direction that would ensure they are provided with as much stability and continuity of placement (i.e., with as much permanence) as is possible. The definition left a large number of young people in care stranded with no policy-based recognition of the service system's permanency obligations to them.

What we found

Previous Annual Reports of the Child and Youth Advocate (particularly the 2004-05 and 2005-06 Annual Reports) have described the unintended consequences for young people stemming from the permanency planning definition.

The October 2008 Enhancement Act Policy amendment defines permanency planning as follows:

- *occurs in a purposeful and collaborative way;*
- *respects the specific circumstances of the child and family of origin;*
- *ensures the child's physical, emotional, social, cognitive and spiritual well-being;*
- *recognizes the value of past and current significant relationships for the child;*
- *maintains the child's positive connections to family history, traditions, race and ethnic heritage, culture, community, religion and language;*
- *maintains the child's positive connections to extended family, siblings, and other significant adults where appropriate and based on the child's needs;*
- *minimizes disruptions for the child;*
- *considers the perspective of the child; and*
- *ensures that the child has the opportunity to mature to his/her potential with a strong natural support network.*

Relevant policy changes have been made to assist caseworkers to carry out the intent of this definition of permanency in practice.

Why it is important to young people

As stated in the 2007-08 Annual Report of the Child and Youth Advocate, "Stability and continuity of placement is a necessary condition for children and youth to undertake mastery of their developmental tasks. Children and youth who have the security of knowing, 'This is my home and these are my parents' have the best foundation from which to undertake the business of growing up."

Issue resolved

	What the Advocate has done	What needs to be done
	Consistently, the Advocate has put this issue before the Ministry and encouraged reconsideration of the definition of permanency provided in policy.	In October 2008, the Department made significant policy revisions to the permanency planning policy. The revised permanency definition: • demonstrates a shift away from permanency being defined as only "care outside the Director" • considers the perspective of the child • emphasizes the importance of child specific planning • describes planning as a deliberate and collaborative process • acknowledges the importance of maintaining significant enduring relationships that are identified for, and by, each young person that comes into care • acknowledges the importance of keeping young people connected in a positive way to family, community, culture, ethnicity, traditions, religion and language

STANDING

1 Permanency for Young People in Permanent Care

Permanency is a persistent systemic issue and has been referenced in the majority of Annual Reports since the inception of the Advocate. In this, and succeeding, Annual Reports the permanency planning initiatives and activities of the Ministry during the particular reporting year will be highlighted.

ON-GOING

b Permanent placements for young people in permanent care

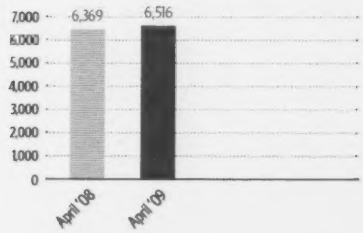
Background

Following is information provided by the Department. The tables are self-explanatory and provide a comparison between the 2007-08 and 2008-09 reporting years.

Legend:

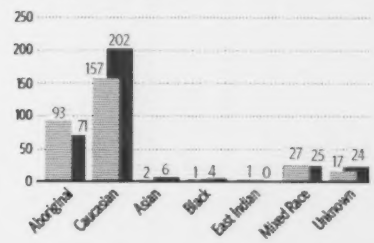
2007-08 2008-09

Number of young people in permanent care



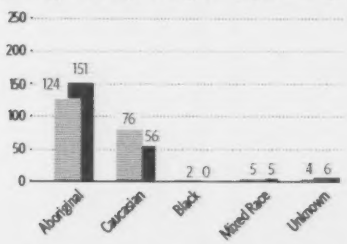
Number of young people with adoption orders granted, by age

Number of young people with adoption orders granted, by ethnic origin

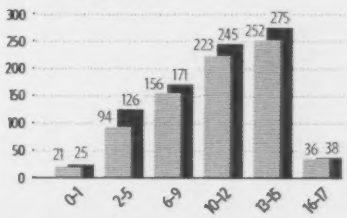


Number of young people in permanent care with private guardianship orders granted, by age

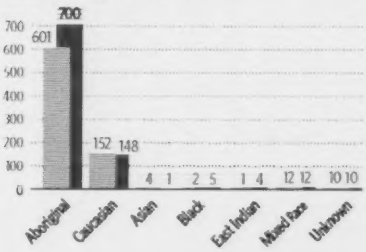
Number of young people in permanent care with private guardianship orders granted, by ethnic origin



Number of young people with permanency objectives of foster care, by age



Number of young people with permanency objectives of foster care, by ethnic origin



Foster homes provide an enduring and stable family environment for young people. In many circumstances, foster families seek and obtain adoption or private guardianship orders. In other cases, the foster family provides safe, stable and supportive care for the young person on a long-term basis. The Ministry's current permanency policy recognizes and supports permanency outcomes in addition to adoption and private guardianship, including a stable and enduring foster care placement. To support Ministry policy, a current initiative is underway to identify and report on the number of continuing foster care placements which demonstrate stable and enduring relationships. With this initiative presently under development, reporting is projected to be available by October 2010.

Progress Made

What we found

- From April 2008 to April 2009 there was an increase of 147 young people who came into permanent care (i.e. became permanent wards of the government).
- The number of young people who were permanent wards that had adoption orders or private guardianship orders granted increased by approximately 10% and 3% respectively over the 2007–2008 to 2008–2009 timeframe.
- The age range of the young people with the highest rate of adoption during both timeframes were those 2–5 years of age, with 10+ years being the age range with the lowest rate of adoption.
- Caucasian young people were the ethnic group with the highest number of adoption orders granted over both timeframes.
- Aboriginal young people were the ethnic group with the highest number of private guardianship orders granted over both timeframes.
- The age range for young people with the highest rate of private guardianship orders granted were those 10+ years of age over both timeframes.

Why it is important to young people

All young people benefit from a sense of belonging and stability. If young people are to master the developmental challenges of childhood and adolescence, they first must trust that their basic needs (food, clothing, shelter, safety, continuity of caregivers) will be met on a consistent and continuing basis.

What the Advocate has done

Permanency for young people is a constant focus of the work of the individual and systemic work of the Child and Youth Advocate.

What needs to be done

There is considerable evidence to indicate the Ministry—through legislation and policy, and through service delivery initiatives—has placed a significant emphasis on permanency outcomes for young people in permanent care. While gains have been made, there remain a large number of young people who are being, and who will be, raised "in care", and within that population there are many who are without placement stability and without continuity of caregivers. These young people require, and deserve, the intensive effort of the Ministry to meet their needs and provide them with the best opportunities possible for a successful transition to adulthood.

2 Placements for Young People in Care

Having sufficient placements of the right kind is a constant challenge for the Ministry of Children and Youth Services, as it is for child protection agencies across North America.

a Placement availability

Background

In the 2007-08 Annual Report, we reported that the Child and Family Services Authorities (and particularly Regions 3 and 6) were scrambling to respond to a marked decrease in placement resource availability. An irony not lost on caseworkers was that they were unable to meet the placement needs of young people who were removed from the parents' care because the parents could not meet their needs.

The placement resource difficulty appeared related to the Province's economic boom. Many human service resources, such as agencies that provide group care placements for young people, were experiencing difficulty in recruiting and retaining staff. In addition, there was a net decrease in the number of approved foster homes provincially.

The Ministry provided a province-wide response to address the shortage of placements by taking the following actions:

- leading practices document was prepared and distributed to guide recruitment and retention strategy development
- increases to basic foster care rates were provided in each of the years referenced by this Report
- videoconferencing options were developed and implemented to increase access to training for foster parents and kinship care providers
- the Aboriginal recruitment campaign, intended to increase the number of Aboriginal children placed in culturally appropriate homes, was developed
- the Ministry communicated with agencies that provide placement resources to strategize around increasing appropriate placement options for children and youth in care
- a provincial caregiver awareness and recruitment campaign, aimed at increasing the number of foster parents and Aboriginal caregivers, was initiated
- the foster care recruitment website was launched in October 2007
- regional advertising toolkits were prepared to support Child and Family Services Authorities (CFSAs) and Delegated First Nation Agencies (DFNAs) in developing and implementing tailored recruitment materials.

The Department provided Alberta's Child and Youth Advocate with the following information in relation to the outcomes of the foster care recruitment campaign to the end of March 2009.

As of March 2009, there were 378 foster homes that became approved in 2008/09. A total of 202 of these foster homes became approved after October 2008, when the recruitment campaign was launched.

The number of foster homes that closed cannot be effectively tracked because homes may close from a variety of statuses (prior to being approved, while on hold, etc.). However, one potential indication of this (when considered in conjunction with the number of homes becoming approved) is the difference in the number of foster homes compared to the year prior. There were 2,301 approved foster homes at the end of March 2009 compared to 2,325 at the end of March 2008.

There were 254 kinship homes approved in 2008-09. A total of 150 of these kinship homes were approved after October 2008. In March 2009 there were 788 approved kinship homes as compared with 724 kinship homes in March 2008.

Progress Made

What we found

The data provided by the Department suggests the recruitment campaign launched in October 2008 produced notable results and was successful in maintaining the pool of approved foster homes. During the year, staff recruitment and retention improved for community agencies and contracted resources as the economy cooled, and they were more able to meet service requests and/or provide the resources for which they were contracted.

Our experience during the year confirmed, however, that in the large urban centers there were more young people requiring placements than there were placements available. Again, young people were placed in hotels because there were no other resources available. Because of the placement shortage, young people were also placed in settings that were inappropriate to their needs, solely because those settings had openings.

Caseworkers have frequently expressed their frustration and anguish at not being able to access placements for the young people on their caseloads.

Why it is important to young people

Children and youth in care are a vulnerable population who require appropriate placements that will meet their needs.

What the Advocate has done

Sufficient placements of the right kind are a constant focus of the individual and systemic work of the Child and Youth Advocate.

What needs to be done

Despite efforts by the Ministry, placement shortages continue to be an issue.

This is one of the most important challenges facing the Ministry. Having adequate and appropriate placement resources for young people who have been removed from their family is essential. Caseworkers cannot do their job without this resource.

The Ministry invested in strategies to address the problem with positive results but more needs to be done, particularly in the urban centers.

STANDING

2 Placements for Young People in Care

Having sufficient placements of the right kind is a constant challenge for the Ministry of Children and Youth Services, as it is for child protection agencies across North America.

NEW

b Kinship care placements

Background

Consistent with the trend in mandated child protection/welfare agencies across North America, the Ministry of Children and Youth Services is demonstrating an increasing interest in, and emphasis on, placement of young people in kinship care arrangements (that is, placement in the home of relatives)[2]. Caseworkers are encouraged to look seriously at family members being a resource for placement before seeking a foster or group home placement.

What we found

Alberta's Child and Youth Advocate strongly supports kinship care, **with some cautions.**

The child welfare literature is full of information from North American jurisdictions' about the use of kinship care. In general, that literature verifies the importance and effectiveness of kinship placements but also concludes that such placements need to be assessed for their suitability and need all the same financial and institutional support resources provided to foster care placements. Through our work with young people, we hear from kinship care providers that they don't always feel they are receiving adequate financial and personal support.

Additionally, we believe there needs to be further strengthening of provincial policy and of casework practice with respect to kinship placements. *Enhancement Act* policy states that, "every effort must be made to [assess and] approve a Kinship Care Home prior to the placement of a child." However, policy also indicates that in exceptional circumstances, a preliminary check of the caregivers can be done and the child placed before the Kinship Care home has been approved. Policy provides no definition of what an exceptional circumstance might be. In addition, we have encountered instances where children have been placed with relatives and there is little or no evidence that the assessments and approvals required by policy have been initiated.

2 For example, Region 10 CFSA has the majority of their children and youth in care placed in kinship care arrangements.

	Why it is important to young people	What the Advocate has done	What needs to be done
	Under the right circumstances, young people are better served by being placed with extended family members than they are in any other alternate care arrangement.	Consistent with the increased use of kinship care as a placement resource by Delegated First Nation Agencies and by Child and Family Service Authorities, the Advocate has had increased involvement with young people who are being cared for by extended family. Individual and systemic advocacy efforts have, in part, been characterized by concerns related to non-compliance with existing Ministry policy concerning the approval and on-going support of kinship placements.	Currently there is a task force, under the leadership of the Department, charged with the responsibility of reviewing kinship care policy, procedures and practice. The issues identified by the Advocate are among those that will be addressed by the task force and we await the outcome of that work.

3 Response to and Recording of Protection Reports about Young People Already in Care

Background

During the time a young person is in the care of the Ministry of Children and Youth Services, a comprehensive record is kept about that young person, including demographic information, health and education records, placement history and descriptions of significant events. This record serves many functions. Two of its most important are to be:

- a primary information tool for the caseworker as he/she guides day by day decision making on behalf of the young person; and,
- the historical account for the young person about his/her life during care.

Over the past few years, there have been changes in the terminology used and the processes followed in the service system's response to allegations that a young person may have been harmed or neglected while in the care of the Ministry.

Why these changes have occurred is technical and is responsive to internal operational issues with child intervention processes and services. The concern of the Child and Youth Advocate is not with the operational issues or with the need for change. The Advocate's concern is that change has occurred without provincial policy as a guide and that an outcome of changed practice is a change in the information recorded on the child's file without due consideration of the impact of that change.

What we found

There are many problems that emanate from fundamental system change unguided by a provincial policy framework. With respect to the issue identified here, there is confusion throughout the Ministry about terminology and inconsistency in service and recording practices with respect to allegations of abuse or neglect of a young person when that young person is in care.

With respect to young people in care, the most significant outcome of these changes is that documentation of and about allegations of maltreatment may no longer be found on the young person's file but is placed, instead, on the file maintained about the placement facility. As a result, child welfare files are no longer a complete record about significant events in the life of the young person while in care, which diminishes their functions as a guide for the day by day decision making by the caseworker and as a record of the young person's history while in care.

Progress Made

	Why it is important to young people	What the Advocate has done	What needs to be done
	Young people are best served when their caseworkers have access to all the information that is necessary to make good decisions for and about them. For adults who grew up partially or mostly "in care", their file is their history —the collective memory of all important information and happenings during that person's young life. As adults, these individuals remember significant events from their past and often access their records in order to get more information or to understand what happened. Under current circumstances, for some adults who will undertake such a search, that history will be incomplete.	This issue was identified in two previous Annual Reports (2005-06 and 2007-08). The Advocate has made its concerns known to senior officials in the Ministry on numerous occasions.	There is a Department lead provincial committee (one member of which is an Advocate representative) that is developing Ministry policy concerning the investigation of maltreatment of young people who are already in care. The work is on-going.

4 Restrictive Procedures and Intrusive Measures

Background

Alberta's Child and Youth Advocate raised issues about restrictive procedures and intrusive measures in the 2004-05, 2005-06 and the 2007-08 Annual Reports.

As referenced in the previous Annual Reports, there are many different methods used to restrict the movement and privacy of young people in foster care and group care.

What we found

In discussing this topic with Department officials, they contend that restrictive procedures and intrusive measures are sufficiently dealt with in *Enhancement Act* policy, in the Residential Facilities Licensing Regulation, and through the accreditation processes to which all residential facilities are subjected. We respectfully disagree.

While some *Enhancement Act* policy exists, our view is that the policy is piecemeal and does not provide a sufficient framework to define, restrict, guide, monitor, or bring accountability to the use of intrusive measures and restrictive procedures.

Enhancement Act policy is the primary working tool of caseworkers and it is here that a comprehensive treatment of restrictive procedures and intrusive measures should be found. From a provincial policy perspective, the policy should pay particular attention to the monitoring and accountability processes regarding use of restrictive procedures and intrusive measures.

Further, in relation to accreditation processes, the Advocate's 2005-06 Annual Report, based on our own review of the accreditation standards of the four different bodies that accredit residential resources in Alberta, concluded that accreditation provides inadequate oversight on the use of restrictive procedures and intrusive measures.

Intrusive procedures and restrictive measures refer to restrictions placed on the rights, freedoms, choices or self-determination of young people. Intrusive procedures limit access to events, relationships, privileges or objects that would normally be available to individuals. Restrictive procedures restrain young people through physical force, through use of mechanical restraints or through use of drugs.

No Progress

Why it is important to young people	What the Advocate has done	What needs to be done
Young people in care have often been the target of arbitrary and punitive action by adults prior to coming into care. They are highly attuned to power and control differentials, and frequently conclude that what is done to them in the name of behavior control is really just an adult "flexing his/her muscle" because he/she can. Children and Youth Services has a particular responsibility to be responsive both to the safety needs of young people (which require appropriate behavior controls) and to young peoples' need to know that restrictive procedures and intrusive measures are actions of last resort; are applied to ensure the safety of the young person; are always monitored and reviewed; and that the young person's own experience with any of these restrictions on their movement or privacy will be heard and taken into account—both in terms of what controls they have already been subject to and in terms of decision making about any further use of such controls.	Through individual and systemic advocacy work, the Child and Youth Advocate has consistently brought this issue forward to the Ministry.	We repeat the call made in previous Annual Reports for the development of a comprehensive policy framework in the *Enhancement Act* policy with respect to restrictive procedures and intrusive measures.

RECOMMENDATION:

That there be an *Enhancement Act* policy framework that:

- defines what is meant by restrictive procedures and intrusive measures;
- provides clear direction that considers alternatives to restrictive procedures and intrusive measures. This directive should distinguish between the use of intrusive measures and restrictive procedures as part of a planned intervention versus their use as an emergent short-term response to safety issues and should provide an outline for what is acceptable in each context. This would include the development of procedural safeguards to control the use of restrictive procedures and intrusive measures.

Policy should address a system of accountability for the allowable use of restrictive procedures and intrusive measures, including:

- clear expectations about reporting the use of restrictive procedures and intrusive measures;
- processes to review the use of restrictive procedures and intrusive measures – e.g. frequency, and effectiveness;
- clearly outlined mechanisms for young people to challenge decisions about the use of restrictive procedures and intrusive measures;
- an independent review process to examine situations that result in injury from the use of restrictive procedures and intrusive measures.

The Advocate would also recommend that service providers be appropriately trained and supported to use the least restrictive/intrusive means of managing the young people in their care.

5 Young People with Complex Needs

Background

In July 2003, the Alberta Children and Youth Initiative[3] released the document titled "Policy Framework for Services for Children and Youth with Special and Complex Needs and their Families." This was followed in August 2003 by "The Management of Integrated Services for Children and Youth with Complex Needs and their Families: Guidelines for Alberta Regional Teams."

The policy framework was developed to respond to the needs of all young people in the Province who have complex needs. It was the perspective of the Advocate at that time that the policy documents recognized the particular challenges associated with providing services to young people in care who have complex needs, and proposed a way for Government of Alberta Ministries to work collaboratively to address these challenges.

The policy framework was approved by government in July 2003. Since that time, what the documents envisioned ("...an integrated case management model for children and youth with complex needs, including regional integrated case management teams that conduct early identification, assessment, planning and service delivery and monitoring and evaluation."[4]) has not come to pass for young people in care. With some notable exceptions[5], the lack of effective, multi-Ministry response to joint service planning and service provision has resulted in young people in care who have complex needs being underserved.

What we found

Areas of concern are as follows:

- The process for responding to young people with complex needs differs from Regional Authority to Regional Authority.
- Many front-line caseworkers are not aware of the Child and Youth with Special and Complex Needs (CYCN) process in their Region.[6]
- Caseworkers we have spoken to who have referred children to the CYCN process indicate the process was not helpful. They report that the process focuses on funding issues and is not of great assistance in the development and joint operationalizing of a service plan that will meet the young person's needs.

A formal evaluation of the Child and Youth with Complex Needs Initiative was completed in February 2008. The overall results from the evaluation were positive. A review of the evaluation report indicates that the majority of the information gathered was from parents and was about services for young people living in their own homes. Very little of the data came from caseworkers in relation to young people in care.

3 *Introduced in 1998, the Alberta Children and Youth Initiative (ACYI) is a collaborative partnership of government ministries working together on issues affecting children and youth.*

4 *Alberta Children's Services Response to the Children's Advocate Annual Report 2002-03.*

5 *The Calgary and Area CFSA has developed strong collaborative working relationships with health and education officials on behalf of all children and youth within their service area.*

6 *This was confirmed in a survey conducted by CYS in 2008.*

Progress Made

	Why it is important to young people	What the Advocate has done	What needs to be done
	Young people with complex needs are among the most vulnerable young people within the in-care population. They are difficult to serve and they are at heightened risk for maltreatment. Whatever potential they have to live in and contribute to their community is dependent on skillful provision of all the supports required to address their behavior. These supports include the provision of safe and supportive housing with skilled caregivers, and provision of services and supports to aid the development of young peoples' educational and social skills to the greatest possible extent.	• The Advocate made a presentation to the Regional Integrated Case Management Team (responsible for the CYCN process) about how the CYCN process is not serving young people in care; • Meetings were held with the Assistant Deputy Minister, Community Strategies and Support Division to express our concern about the lack of effective service response to young people with complex needs, given the existing policy framework. • Spurred by the meeting with the ADM, caseworkers were asked to answer a survey developed by the Ministry of Children's Services about their awareness of the CYCN process and their satisfaction with and use they had made of the process. The survey results supported the concerns raised by the Advocate.	Given the CYCN policy framework continues to have government support; that the framework implementation has resulted in beneficial outcomes for (has provided the intended support to) families of children with complex and special needs (based on the 2008 evaluation results); and, that the framework continues to describe an approach to service planning and provision that could work for young people in care who have complex needs, the Advocate makes the following recommendation. RECOMMENDATION: That the Department undertake a comprehensive review of the CYCN process to determine what needs to be done to have this process work effectively on behalf of young people in care who have complex and special needs

ON-GOING

6 School Completion

Background

The 2006-2007 Annual Report was devoted to the topic of educational completion. The Report highlighted the fact that across North America,"... children and youth in care are more likely to perform below grade level and to fall behind their peers as they get older. They are over-represented in special education and vocational classes and are more likely to be identified as having behavioural disorders, severe learning disabilities and mild intellectual disabilities. They are more likely to be suspended or expelled from school and are less likely to complete high school." The Report noted how educational attainment is a significant factor related to successful transition to adulthood and a key predicator of subsequent adult well-being. The Report emphasized the child welfare system's responsibility to facilitate and enhance the educational success for young people in care and to remove barriers to the educational attainment of this population.

The Report made the following recommendations to improve educational success:

- Increase attention to, and emphasis placed on, the educational success of young people in care as a prime responsibility of the child welfare system.
- Set system-wide outcome goals for educational attainment and establish data-gathering processes to monitor achievements.
- Create a requirement of caseworkers for young people under Permanent Guardianship, or youth transitioning to independence, to assess their educational status—including accomplishments and needs—annually, and to address the results in an action plan.
- Use the educational component of the Looking after Children Action and Assessment Record —Canadian Edition (or a similar resource) for young people under Permanent Guardianship or for youth transitioning to adulthood.
- Provide increased and extended support to young people transitioning to adulthood to specifically target improved educational achievement.
- Listen to young people.
- Clarify and develop the role of caregivers as educational champions.
- Improve coordination between the child welfare and educational systems.

What we found

During 2007-08, the Ministry of Children and Youth Services and the Ministry of Education completed a data match from which they were able to identify the educational history of and the educational outcomes for young people in care for the school years from 1995-06 to 2006-07. A summary of the results of the data match are provided in **Appendix B.**

Subsequent to this study, and in the face of the picture painted by the data, the Ministry of Children and Youth Services and the Ministry of Education undertook a cross-Ministry initiative with the purpose of improving school success for young people in care. This work has resulted in the drafting of a Provincial Protocol Framework (PPF).

As currently envisioned, the PPF will, "...detail local procedures that will ensure that School Authority and Child and Family Services Authority/Delegated First Nation Agency staff work together with the young people in care, their caregivers and other appropriate partners, to share information and engage in joint decision-making supporting success in school for children and youth in care."[7]

Among many positive affects, the PPF will support a province-wide tool for tracking school success through a 'Success in School Plan.'

Through the cross-Ministry initiative, a Memorandum of Understanding (MOU) has been established that will enable both Ministries to share data. Through this data sharing, educational results for children and youth in care will be calculated and the results used to develop strategies to assist this population in improving their educational outcomes.[8]

7 *Success in School for Children and Youth in Care: Provincial Protocol Framework. Draft–March 10, 2009*

8 *Response to the Office of the Child and Youth Advocate Annual Report 2006-07 – Alberta Education comments.*

Progress Made

	Why it is important to young people	What the Advocate has done	What needs to be done
	Young people in care are confronted with many barriers to being successful in school. It is essential they are assisted to manage these barriers so they can achieve to the maximum of their ability in the school environment. When a young person has the opportunity to be successful in school, all areas of his/her life are positively affected and it paves the way for better outcomes as an adult.	The Advocate has had the opportunity to participate in the processes associated with the cross-Ministry initiative to complete the development and undertake the implementation of the PPF framework.	To a large extent, the PPF framework addresses the recommendations of the 2006–07 Annual Report of the Child and Youth Advocate. The next important step is implementation of the framework in the months ahead.

NEW

7 Replacement of Personal Possessions Lost or Stolen

Background	What we found	Why it is important to young people
Alberta's Child and Youth Advocate receives calls from young people in care who report that their belongings have been lost or stolen, and that their request for the items to be replaced has been refused. These losses generally occur when the youth has moved from one placement to another; when items have been stored by caseworkers or caregivers and subsequently cannot be located; or, during a time when the young person is absent from his/her placement. The calls generally come from young people living in group care but also from young people placed in foster care and Supported Independent Living (SIL) placements.	Currently, there is no *Enhancement Act* policy or standard outlining how to deal with this issue. Most funded agencies have policies indicating that they are not responsible for lost or stolen items. There is a wide variance in the way in which these matters are dealt with by the service delivery authorities. As a result, youth are often left without replacement of, or compensation for, lost or stolen personal possessions when they had no control over the safe keeping of the items.	One youth told his advocate, "...when they don't care about what belongs to me, they are showing they don't care about me." Young people in care are highly attuned to issues of fairness. In our estimation, being held accountable for something outside their control gives the wrong message to young people. Often times, young people have lost belongings that are of great importance to them and are a link to or a symbol of their family of origin. Other times, the lost items are of importance to them because it is a reflection of their identity outside the context of their family.

What the Advocate has done	What needs to be done
The Advocate developed and presented a position paper concerning this issue at the November 2008 Enhancement Table[9] meeting in which it recommended the development of a provincial policy framework to guide how issues of lost or stolen possessions of young people in care are dealt with. The response from the Enhancement Table was that every situation is individual and each situation should be dealt with on its particular merits. It was further suggested that if the young person is not satisfied with the decision, he/she should ask that the matter be put before an Administrative Review.[10] Child and Family Service Authorities and Designated First Nations Agencies respond on an inconsistent basis to youth who have lost their belongings while in care. The responsibility for replacing these items is unclear and inequitable. Despite the Enhancement Table's suggestion, the Advocate remains firm in the position that when the Director is either the guardian or the custodian of a young person, there is a need for policy direction to ensure that all young people have access to a consistent resolution process when they have experienced a loss of personal belongings.	The Department should develop provincial policy to guide how issues of lost or stolen belongings of young people in care are dealt with. The policy should include and/or address the following: • a reasonable timeframe for the issue to be resolved; • clearly defined responsibilities for the caseworker and caregivers concerning the safekeeping of young peoples' belongings; • an opportunity for all parties to provide information about the loss; • conditions when the young person can expect to be reimbursed for the lost belongings.

9 *Enhancement Table is a provincial body comprised of senior Children Welfare experts from each CFSA and DFNA, where members have an opportunity to influence practice and shape policy through consultation, advocacy, and promoting shared learning opportunities.*

10 *Administrative Review is a formal process that allows for an internal review of a decision of the Director when a child, youth, family, or caregiver disagrees with a decision of the Director. The person who is directly affected by the Director's decision may request an administrative review.*

NEW

8 Investigation of Abuse Allegations Against Staff of Government-Run Residential Facilities

Background

Children in the care of the Ministry of Children and Youth Services live in one of a variety of placement settings—foster homes, group homes, residential facilities, Supported Independent Living (SIL) arrangements, and so on.

On occasion, a young person will allege that he/she has been physically or sexually assaulted by a staff member in a group care facility or by a foster parent. There is a clear procedure that guides how investigations of these complaints are dealt with—a key feature of which is that the investigation is conducted by a caseworker who is not directly involved with the facility/foster home through any other role. For example, a caseworker for another young person placed in the facility or foster home could not conduct the investigation.

An exception to this procedure occurs when a young person living in a government owned and operated residential facility makes a complaint concerning a staff member working in that facility. In these instances, the facility management also participates in, and sometimes takes sole responsibility for, the investigation. Young people whose complaints have been heard under these circumstances have expressed their discomfort and fear with having a facility manager involved in addressing their complaint. They worry about retribution for having made the complaint, and they doubt whether their concern will be believed and appropriately acted on.

What we found

A special factor with respect to government owned and operated facilities is that staff members are also government employees who have rights and privileges associated with that employment and with being members of the Alberta Union of Provincial Employees.

There is a provincial protocol that addresses how to deal with the human relations factors that arise when an allegation of child maltreatment is made concerning a government employee. However, there is no corresponding *Enhancement Act* policy to guide investigations regarding complaints made by young people against staff members of government run facilities. Our experience indicates there is little consistency of practice in how facilities respond to maltreatment allegations made against staff. Our concern is that there are conflicting factors at play: conducting an investigation of a maltreatment complaint, and protecting the rights of the employee against whom the allegation has been made.

	Why it is important to young people	What the Advocate has done	What needs to be done
	Young people placed in government run facilities must be safe and must have their complaints about maltreatment treated seriously.	The Advocate is participating on a Department lead provincial committee that is reviewing draft policy concerning the investigation of maltreatment of young people who are already in care. Concerns have been raised by the Advocate that the policy lacks direction around the investigative process when allegations of abuse in care occur in a government run residential facility.	The Advocate will continue to stress to the Department the importance of creating a detailed process in policy to identify what special considerations need to be made in the investigation process when allegations of abuse take place in government run settings. The policy will need to ensure that human resources rules do not interfere with the legislated mandate of the Ministry to investigate child abuse allegations and to protect young people in their care.

NEW

9 Policy Restricting Use of Administrative Reviews

Background	What we found	Why it is important to young people
Legislation states that certain people, including young people in receipt of services under the *Child, Youth and Family Enhancement Act*, may ask for an Administrative Review[11] of a decision of a Director. While there are no restrictions in legislation as to what decisions can be reviewed, *Enhancement Act* policy was implemented in November 2006 which identified three areas of decision making that cannot be subject to an Administrative Review: • Operational/administrative matters such as the transfer of a file or the change of a caseworker; • Matters that the Director has not determined but are integral to case planning, such as a child's diagnosis, educational planning, probation requirements, assessment findings, outcomes of child protection investigations, court orders and decisions of the court; • Financial matters that have provincially fixed rates attached.	Of the three areas restricted from Administrative Review, the one that has had negative impact for young people are decisions about changes of caseworkers and of offices. Alberta's Child and Youth Advocate receives many requests from young people who want to keep their present caseworker and are told they can't; who want to change their caseworker and are told there will be no change; who want to stay with, or change, the office which provides services to them but are told 'no'. While the young people are given opportunity to "state their case" to a casework supervisor or office manager, their experience is that they are appealing to a person who has been part of making the decision under dispute and whose mind is already made up. Whether that is true or not, the advantage of an Administrative Review is that it takes away this perceived bias by having managers who have had no involvement in the decision hear the review. Young people experience this as a more impartial and much fairer process.	Young people have clearly described to the Advocate their frustration with having no "fair" avenue available to challenge decisions about who their caseworker will be or what office will deliver services to them.

[11] *The administrative review is a formal process that allows for an internal review of a decision of the Director when a child, youth, family, or caregiver disagrees with the decision of the Director. The person(s) directly affected by the Director's decision may request an administrative review. In practice, reviewing a Director's decision usually means reviewing a decision made by a caseworker who is acting in the stead of "the Director" through a formal delegation of authority.*

	What the Advocate has done	What needs to be done
	This issue has been presented to all the senior child welfare authorities of the Ministry through an Enhancement Table meeting.	Decisions about who will provide their services are significant to young people in care and should be open to their influence. We believe the decision to remove the right of review in these instances was shortsighted and unnecessarily restricts an opportunity to challenge authority, in a constructive manner, within an area of great importance. We strongly encourage the Ministry to reconsider its decision of November 2006 and make operational matters such as the transfer of a file or the change of a caseworker subject to Administrative Review.

Appendix A

So we are not alone: The Office of the Child and Youth Advocate Feedback Project Summary Report

The following is the Executive Summary of a research report completed for the Child and Youth Advocate in November 2008 by Dr. Erin Grey, Assistant Professor, Lakehead University. The entire report is available on the Child and Youth Advocate's website at www.advocate.gov.ab.ca.

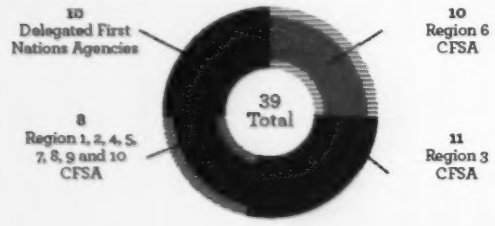
Introduction

The Office of the Child and Youth Advocate (OCYA) exists to provide formal advocacy services for children and youth receiving services under the *Child, Youth and Family Enhancement Act (Enhancement Act)* and the *Protection of Sexually Exploited Children Act (PSECA)*. The mandate of the Advocate includes: providing advocacy services to individual children and youth or groups of children and youth; providing advice about matters related to the welfare and interests of children who receive services under the *Enhancement Act* or *PSECA*; and facilitating the involvement of family or community members as advocates for children.

In 2008, Alberta's Child and Youth Advocate undertook an important project collecting feedback from young people between 12 and 22 who had received advocacy support. The purpose was to get firsthand information from young people related to their experiences with the Advocate. *So we are not alone* reports on the purposes, processes, and outcomes of this project.

Thirty-nine interviews were held with young people who have received individual advocacy services to elicit their opinions and perspectives related to the Advocate's service delivery, service impacts and quality improvement. Young people with both open and closed files who had received advocacy services anytime from February 25, 2007 to February 25, 2008 were eligible to participate in the project. Interviews were conducted with a stratified random sample of young people selected from the overall population of eligible participants. Random samples were drawn from the following four "strata" of the overall population: (1) Region 6 - Edmonton & Area Child and Family Services Authority (CFSA); (2) Region 3 - Calgary & Area CFSA; (3) the other eight regional authorities, and (4) Delegated First Nations Agencies (DFNAs).

Interviews with Young people



The results of this project will enable the Advocate to better understand both the delivery and outcomes of individual advocacy services. The findings of the interviews will also be used to develop policy and enhance the delivery of advocacy services provided to young people throughout Alberta.

Methodology

This project employed a qualitative methodology in its design, and data collection and analysis strategies. The major objective of the project was to achieve a deep and comprehensive understanding of young people's experiences and perspectives about the individual advocacy services they received from the Advocate. Recruitment strategies enhanced the likelihood that young people would be able to participate by making their involvement as convenient as possible. Furthermore, the project demonstrated its appreciation and respect of young people's time and contributions to the project by offering them a modest monetary gift for participating in the research.

Findings

So we are not alone addresses in detail the major themes evident in the project's findings, which are explored within the framework of the three primary question areas concerning the Advocate—service delivery, service impact, and quality improvement.

It is clear that the young people who participated in the interviews feel their needs are not being met by existing services from Alberta Children and Youth Services. This appears to be the primary reason for their requests for individual advocacy services. Young people at times feel overpowered by the adults in their lives and do not feel that these adults always have their best interests in mind. Frequently, they feel they are not being heard and that they are isolated from decision-making processes that affect them. Young people tend to request advocacy services during periods of crisis and they ask for help to address critical aspects of their well-being. Consequently, advocates play a vital role in their lives at a time when young people are most vulnerable. Young people come to rely on advocates to help them to voice their opinions and to feel less alone. It is hard to escape the sense of loneliness that some of these young people experience while receiving services from Alberta Children and Youth Services.

The impacts of service experienced by young people are wide ranging and it is quite evident that advocacy services do make a critical and positive difference in the lives of the majority of young people interviewed in this project. Young people observed that a major impact of the advocate services was an improved sense of emotional and psychological well-being. For example, young people noted that they felt less lonely and less angry as a result of receiving the services. This makes sense when categories related to feelings of isolation and having to struggle on their own are considered. There is coherence in their explanations of why they needed services and the perceived impact of these services. *So we are not alone* suggests that a key category in understanding the impact of the advocate services has to do with how young people feel accepted and acknowledged as a result of these same services. Furthermore, advocates are likened to allies who stand with them and support them at times when they know they cannot stand on their own. Also, young people garner both tangible and learning impacts as a result of receiving advocacy services.

In their responses pertaining to quality improvement, young people made thoughtful suggestions for improvement. The results strongly support young people's preference for face-to-face and follow-up contact with advocates. From the perspective of young people interviewed in this project, both face-to-face and follow-up contact demonstrate the advocate's respect for them. Though the majority of young people report high levels of satisfaction with the advocate services, a small minority of young people describe less favourable experiences. It is evident that the characteristics of service appreciated and praised by those young people who report positive experiences are very similar in nature to desired qualities seen as lacking in the advocate services by those young people who report much lower levels of satisfaction with individual advocacy services. Both satisfied and unsatisfied observations support recommendations that seek to enhance these same characteristics in service delivery.

Recommendations

The recommendations put forward in *So we are not alone* are informed by a number of key themes evident across the findings and relevant to service delivery, service impact, and quality improvement.

1. It is strongly suggested that Alberta Children and Youth Services be alerted to the fact that most of the young people randomly selected to participate in this project report moderate to high levels of dissatisfaction with the services they receive from Children and Youth Services. According to these young people their difficulties stem from dissatisfaction with placements and not feeling they are a part of the decisions made about placement arrangements. Also, they experience sadness and anxiety about not having contact with their families of origin. Often these young people are uninformed about why arrangements are not made to facilitate visits with their mothers, fathers and siblings. They note that they have minimal contact with case workers who they see as frequently avoiding them by not returning phone calls in a timely manner, and being late for or cancelling meetings with them. These negative experiences are manifested in their frustration, anger and feelings of isolation and hopelessness.
2. To maintain and enhance further high quality advocate service delivery and impacts as experienced by the strong majority of youths interviewed in this project, it is highly recommended that the Advocate ensure face-to-face contact as well as meaningful follow up with all youth who ask for advocacy services. At the very least, all youth should have at least one face-to-face meeting with their appointed advocate. The option for more contact should be open and dependent in part on the perceived needs of the youth. The young person's own judgment may be a very good guide to determine the length of contact that is adequate in meeting their needs.

   Furthermore, meaningful follow-up should occur with all youth who request individual advocacy services. Follow-up should assess the young person's needs for further services. But moreover, it should serve to remind the youth that they are valued and respected as citizens with rights. Given the findings in this Report it is probable that meaningful follow-up would result in further contact with the advocate and therefore would affect caseload management capacity.

   In general, if quality face-to-face contact and meaningful follow-up procedures are to be expected of advocates, compatible caseload management strategies and practices would need to be in place.

   It is no doubt the case that youth who request advocacy services have different contact needs. For some young people it is quite likely that a few contacts may be sufficient to meet their needs. However, without establishing an adequate level of professional relationship, how does one decide if one or two phone calls are sufficient? As we heard from some disaffected young people in this study, at the time of contact with their appointed advocate, they were experiencing extreme difficulties in their lives that the advocate knew very little about. And, in their own analyses young people assert

that they would have benefited from face-to-face contact as opposed to just speaking with an advocate on the telephone. In these cases, face-to-face contact was desired primarily because it would allow the advocate to know more about what was actually happening to them.

Given the results of this project, advocacy at its best seems less about "what I can do for you" and more about "I am here for you". It is suggested that the latter would be tough to achieve with one or two telephone calls.

Young people's level of advocacy support needs is probably reflected in the kinds of supports they have access to prior to advocacy contact. It seems to be true that several of the young people interviewed for this project report high levels of anxiety, depression and feelings of hopelessness while residing in institutions. It is strongly suggested that these young people require additional monitoring to ensure they understand that they have the support of an advocate.

3. It is recommended that the findings of this Report be incorporated in orientation practices for new employees and used for general training purposes. It is suggested that the findings would help to orient newly hired advocates as well as contribute to continuing competency learning and evaluation of advocacy practices. For example, advocates could integrate aspects of these findings in their day-to-day practice with young people. They could share aspects of the Report with young people and seek their feedback. Strategies that incorporate continuous feedback on individual advocacy practices should be encouraged. As reflected in this Report, advocates' work is highly valued by young people and they have come to depend on having the support of an advocate during critical points of time in their lives.

   There seems to be a lot at stake here for young people. It is acknowledged that their heavy reliance on advocates may appear to some to be unrealistic; however, the need these young people have for contact and relationship is nonetheless real. This is a strong message that should be communicated and reinforced with new and seasoned advocates.

4. It is recommended that in any future project of this nature the practice of drawing stratified random samples from Regions 3, 6, the Rural CFSAs, and DFNAs, as carried out in this project, should be maintained to ensure representativeness of experiences across regions. In addition, the design should be modified to ensure the inclusion of a random selection of young people from each advocate's caseload. This would serve to strengthen the representativeness of advocacy services across regions and across individual advocacy caseloads.

5. Finally, it is recommended that qualitative interviews with young people should be carried out on an ongoing basis. The research design and tools used to collect interview data from young people in this project could be modified and implemented in a longitudinal research approach that would monitor outcomes across the three dimensions of service delivery, service impact, and quality improvement. Such a design could track changes over time allowing for the ongoing evaluation and measurement of impacts of new initiatives adopted to improve the services provided by Alberta's Child and Youth Advocate.

In the final analysis, it is incumbent upon the Child and Youth Advocate and Alberta Children and Youth Services to protect and enhance the well-being of these young people first and foremost by ensuring that these young people know "they are not alone".

Appendix B

Summary of Education Results for Children and Youth in Care

Introduction

Alberta Children and Youth Services (ACYS) and Alberta Education are working together to improve high school completion and other educational outcomes for children and youth in care. To support this joint work, the ministries of ACYS and Education signed a Memorandum of Understanding (MOU) to allow data matching in order to generate education results for children and youth in care, specifically:

- High school completion (within three years and within five years of entering Grade 10)
- Dropout and returning rates for students age 14–17
- Provincial achievement test results, at the acceptable and excellence standards
- Proportion of Grades 1–9 children and youth in care registered in an age appropriate grade

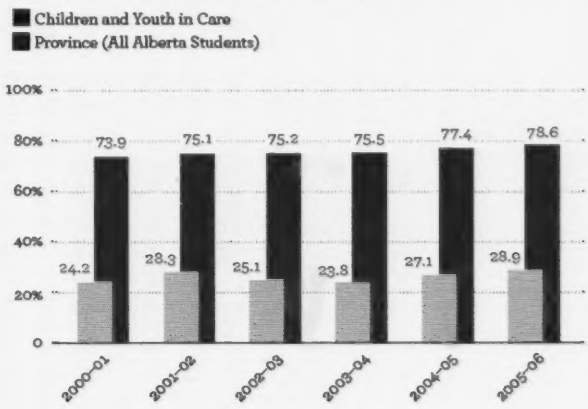
The MOU data match covers the school years from 1995/96 to 2006/07. Since children and youth enter and leave care throughout the year, the results are based on children and youth who were in care and registered in school on September 30 in each school year. In care statuses reflect the child or youth's legal status with ACYS on this particular date. The in care legal statuses include children and youth under Permanent Guardianship Order (PGO), Temporary Guardianship Order (TGO), Custody Order, Custody Agreement and Permanent Guardianship Agreement. These permanent and temporary in care statuses are defined in the *Child, Youth and Family Enhancement Act*.

There was an overall match of 84.4% between the school-aged children and youth in care and students registered in Alberta's K-12 school system. This was satisfactory to both ministries since Alberta's K-12 system does not include band or Lloydminster schools, while some children and youth in care attend school in Lloydminster and on First Nation reserves. The percentage of Aboriginal children and youth in care in the K-12 system was slightly lower at 56% than in the ACYS file (59%) because students attending band schools are not included. Aboriginal children and youth in care are identified by the Aboriginal notation on file with ACYS, not the First Nation, Métis or Inuit self-identifier in the Ministry of Education's student information system.

High school completion rates for children and youth in care have improved, as have rates for all students, but remain well below provincial rates.

- Over the study period (1996/97 – 2005/06):
  - The three-year completion rate for all children and youth in care improved from 11.3% in 1998/99 to 19.8% in 2004/05, and then declined slightly to 18.1% in 2005/06. The corresponding provincial rates were 62.9% in 1998/99 and 70.4% in 2005/06.
  - The five-year completion rate for all children and youth in care improved from 24.2% in 2000/01 to 28.9% in 2005/06. The corresponding provincial rates were 73.9% in 2000/01 and 78.6% in 2005/06. *(Figure 1)*
  - Both the three-year and five-year rates have improved both for Permanent Guardianship Order (PGO) status children and youth and for children and youth with other in care statuses. Results for children and youth with other in care statuses (rates in brackets) are consistently lower than results for PGO children and youth. The three-year rate for PGO children and youth rose from 15.3% (6.6%) in 1998/99 to 21.4% (11.3%) in 2005/06, and the five-year rate rose from 28.2% (19.3%) in 2000/01 to 35.0% (20.8%) in 2005/06.
  - Both the three-year and five-year high school completion rates were lower for Aboriginal than for non-Aboriginal children and youth in care (rates in brackets) but have improved over time. The three-year rate rose from 9.2% in 1998/99 (12.1%) to 16.3% (19.3%) in 2005/06. The five-year rate rose from 18.4% (26.1%) in 2000/01 to 27.5% (29.6%) in 2005/06.

Figure 1 **Five-Year High School Completion Rates**



Notes:

1. Completion rates are for the fifth year of each cohort tracked (e.g. for the Grade 10 cohort with registration year 1996/97, the five-year completion rate is 2000/01).
2. Students were included in the analysis if they were in care as of September 30th of the Grade 10 year.
3. Rates for children and youth in care have not been adjusted for attrition (loss of students due to out-migration and mortality). The provincial rates (all students in Alberta) have been adjusted for attrition, using estimates from Statistics Canada. Attrition is about 2.5–3.0% of each Grade 10 cohort over the five-year tracking period. Attrition accounts for a very small portion of the difference between rates for children and youth in care and rates for Alberta students overall. Provincial results are from Alberta Education's 2006/2007 Annual Report.
4. Results do not include children and youth in care attending school on a First Nation reserve or in Lloydminster.

Dropout rates for children and youth in care are improving, as are rates for all students, but are approximately three times higher than rates for all Alberta students. Rates for all Alberta students reflect the percentage of students aged 14-18 who are not in school the following year. The results for children and youth in care do not include 18-year-olds.

- Over the study period (1996/97 – 2005/06):
  - The dropout rate for all children and youth in care declined from 18.6% in 1997/98 to 14.4% in 2005/06; the corresponding provincial rates for all Alberta students were 6.4% in 1997/98 and 4.7% in 2005/06. *(Figure 2)*
  - The returning rates for children and youth in care have been relatively stable around 24–25% for most of the study period, somewhat higher than corresponding provincial rates for all Alberta students (about 21%), which reflects the lower returning rates for 18-year-olds. *(Figure 3)*
  - Both the dropout and returning rates for children and youth in care with PGO status and those with other in care statuses have improved over time. Dropout rates were slightly lower for PGO children and youth than for children and youth with other in care statuses; returning rates for PGO status children and youth in care were not quite as high as those with other in care statuses.
  - Dropout rates were slightly higher for Aboriginal than non-Aboriginal children and youth in care, as were returning rates. Both the dropout and returning rates have improved slightly for Aboriginal children and youth in care over the study period.

Figure 2 **Dropout Rates**

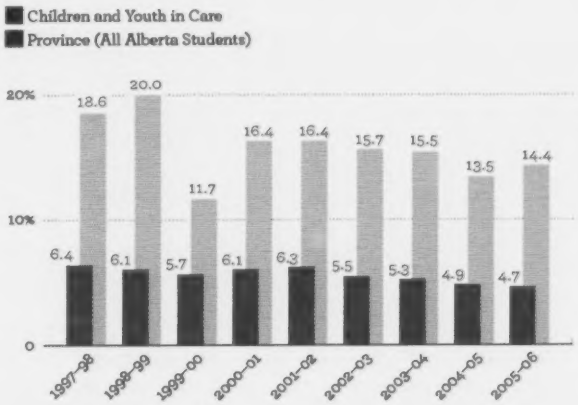
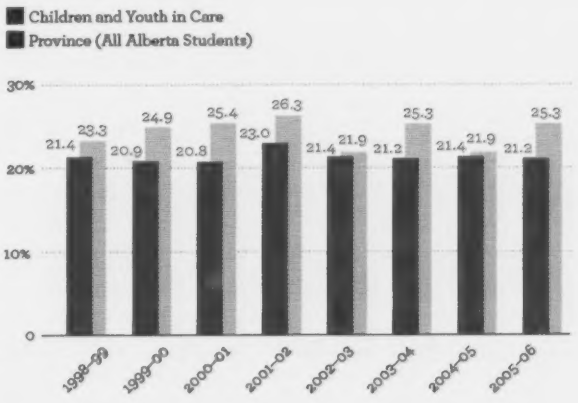


Figure 3 **Returning Rates**



Notes:

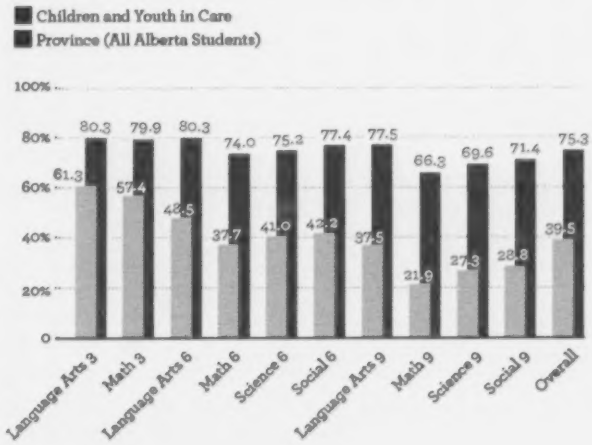
1. Dropout rates are for the year after the registration year and returning rates are for the second year after the registration year (e.g., for the 1996/97 registration year, the dropout rate is for 1997/98 and the returning rate is for 1998/99).

2. Students aged 14–18 (14–17 for children and youth in care) are included in the dropout rate if they are not in enrolled in Alberta's learning system (a K–12 school, post-secondary institution or apprenticeship program) in the following year.
3. Rates for children and youth in care have not been adjusted for attrition (loss of students due to out-migration and mortality). The provincial rates (all students in Alberta) have been adjusted for attrition, using estimates from Statistics Canada. Provincial attrition is about 1.2–1.5% of each 14–18 year old cohort. Attrition accounts for a very small portion of the difference between rates for children and youth in care and for Alberta students overall. Provincial results are from Alberta Education's 2006/2007 Annual Report.
4. Results do not include children and youth in care attending school on a First Nation reserve or in Lloydminster.

Provincial Achievement Test results for students in grades 3, 6 and 9 (all grades and subjects) have generally declined over time for children and youth in care and for all Alberta students. Results for children and youth in care are below results for all Alberta students.

- Over the study period (2002/03–2006/07):
  - Results for children and youth in care tend to drop off from Grade 3 to Grade 6 to Grade 9 at both the acceptable and excellence standards.
  - Results have declined over time for all subjects and grades except Grades 3 and 9 English Language Arts and Mathematics.
  - Results for children and youth in care with PGO status are slightly lower than for children and youth in care with other in care statuses.
  - Results for Aboriginal children and youth in care are slightly below those for non-Aboriginal children and youth in care and have declined slightly over time (e.g., from 41.5% in 2002/03 to 36.8% in 2006/07 for overall results at the acceptable level).
- In 2006/07: *(Figure 4)*
  - 39.5% of children and youth in care met the acceptable standard overall, compared to 75.3% of all Alberta students, while 2.5% of children and youth in care also met the standard of excellence overall, compared to 19.0% of all Alberta students.
  - the highest results were in Grade 3 English Language Arts (61.3%) and Mathematics (57.4%), while the lowest were in Grade 9 Science (27.3%) and Mathematics (21.9%).

***Figure 4* Percentage of Students Meeting the Acceptable Standard on Provincial Achievement Tests, 2006/07**



Notes:

1. Percentage of students achieving the acceptable standard includes those who also met standard of excellence.
2. The percentages are based on total enrolment in grades 3, 6 and 9. About 10% of all Alberta students in grades 3, 6 and 9 do not write provincial achievement tests. Participation of children and youth in care in the provincial achievement tests is considerably lower; over the study period 35%–40% did not write the tests.
3. Overall results are weighted averages; provincial results are from Alberta Education's 2006/2007 Annual Report.
4. Results do not include children and youth in care attending school on a First Nation reserve or in Lloydminster.

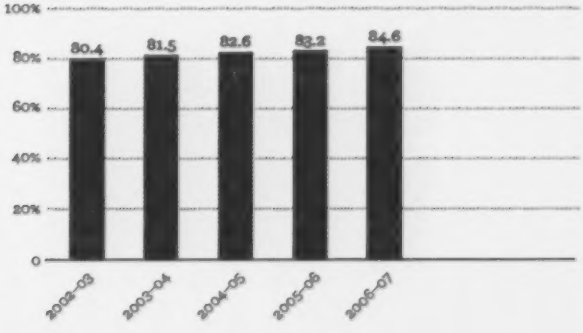
Age Appropriate Grade Placement for children and youth in care has improved slightly over time.

- Over the study period (2002/03–2006/07):
  - The percentage of all children and youth in care (Grades 1–9) in the province having an age appropriate grade placement increased from 80.4% to 84.6%. *(Figure 5)*

- The proportion of all children and youth in care in Alberta with age appropriate grade placement decreases from Grade 1 to Grade 9 (e.g., for 2006/07: 92.6% in Grade 1, 84.9% in Grade 5 and 81.1% in Grade 9.)
- The percentage of children and youth in care with age appropriate grade placements is similar for those under PGO status and those who have other in care statuses.
- The percentage of children and youth in care with age appropriate grade placements is lower for Aboriginal students than for non-Aboriginal students (e.g. , 83.0% and 86.8% respectively in 2006/07), but has improved over time (from 79.1% in 2002/03 to 83.0% in 2006/07).

- Analysis of the 2006/07 AAG results indicated that the percentage of children and youth in care with a special education need code was 49%, more than four times higher than the rate for all Alberta students in Grades 1–9 of about 11%.

Figure 5 **Age Appropriate Grade (AAG) Placement for Children and Youth in Care, Grades 1–9, 2002/03–2006/07**



Notes:

1. Data on age appropriate grade placement (AAG) is available only for children and youth in care, not for all students in the province. This data was generated for Alberta Children and Youth Services to enable National Outcome Measures to be collected and reported.
2. Ungraded students (who typically have severe cognitive disabilities and comprise between 0.1% and 0.5% per year of students in the matched file) are excluded from the AAG analysis.
3. Results do not include students attending school on a First Nation reserve or in Lloydminster.

Data Qualifications: Educational Results for Alberta Children and Youth in Care

General Qualifications Applicable to Education Results for Children and Youth in Care

- ACYS data files were matched to student information in Alberta Education's corporate data warehouse. Education data were able to be matched for 88.2% of the children and youth in care on October 1st. This was an acceptable match rate for both ministries.
- Alberta's Child Intervention system is administered through 10 regional Child and Family Service Authorities (CFSAs) and 18 Delegated First Nation Agencies (DFNAs), while Alberta's K–12 education system consists of 62 school boards and 12 charter schools, and about 125 accredited-funded private schools. Educational results for children and youth in care are grouped by CFSA, not by school jurisdiction. The DFNA results are for children and youth in care, case managed by DFNAs, attending off-reserve schools, i.e., school jurisdictions or accredited-funded private schools.
- The Child Intervention system includes children and youth in care on First Nations Reserves and in Lloydminster. Education results do not include students in schools on Reserves or in Lloydminster.
- As children and youth in care account for about one percent of all Alberta K–12 students, educational results for them account for only about one percent of corresponding provincial results.
- About 25% of children and youth in care are in Region 3 (Calgary and Area), 35–40% are in Region 6 (Edmonton and Area) and all other regions together account for the remaining 35–40%.
- Results for most CFSAs other than Edmonton or Calgary should be interpreted with caution, as they are based on very small numbers of students.
- Alberta Education collects student registration data as of September 30th each year and updates it in March. Alberta Children and Youth Services (ACYS) collects information on children and youth in care on an ongoing basis; they can enter or leave the care of the Director at any time during the year. The list of children and youth in care of the Director as of October 1st each year is used for the calculation of results, so the results are a snapshot at a point in time.
- The two ministries have different methods of determining Aboriginal identity. Aboriginal identity on file with ACYS was

used in calculating educational results for children and youth in care, not the Aboriginal self-identifier collected by school jurisdictions and reported to Alberta Education.

- Where results for children and youth in care are compared to provincial results for all Alberta K–12 students, provincial results are from Alberta Education's Annual Reports, available online at www.education.gov.ab.ca/annualreport/.
- High school completion rates and dropout rates for children and youth in care are not adjusted for attrition (loss of students due to out-migration and mortality), as are provincial rates. Using data from Statistics Canada, attrition at the provincial level is estimated at about 2.5%–3.0% of each Grade 10 cohort tracked for high school completion rates, and about 1.2%–1.5% of each 14–18 year old cohort tracked for dropout rates. A similar attrition adjustment is not available for children and youth in care. The attrition adjustment in provincial rates accounts for only a small proportion of the difference between rates for children and youth in care and provincial rates.

High School Completion Rates

- Each cohort of students entering Grade 10 is tracked to determine the proportion of students completing high school within 3 years of entering Grade 10 and the proportion completing within 5 years of entering Grade 10.
- All students with severe cognitive disabilities or severe multiple disabilities, including children and youth in care with those disabilities, are excluded from calculations of high school completion rates.

Dropout and Returning Rates

- Dropout rates reflect the percentage of 14–18 year olds in school in a given year who are not in school (and have not completed school) the following year. Returning rates reflect the percentage of dropouts in a given year who return to school the following year.
- Children and youth in care were included in the analysis if they were age 14–18 at the start of the school year (September), and they were in care of the Director as of October 1st.
- All students with severe cognitive disabilities or severe multiple disabilities, including children and youth in care with those disabilities, are excluded from calculations of dropout rates.

Provincial Achievement Test Results

- Achievement tests are administered to students in grades 3, 6 and 9 in June of each school year.
- Achievement test results reflect the percentage of all students in grades 3, 6 and 9 who achieved the standards. All students includes those writing the tests as well as students who were absent on the day of the test or excused from writing the test by the superintendent because participation would be harmful to the student or the student could not respond to the test instrument.
- Results are reported in relation to the acceptable standard and the standard of excellence. Students achieving the acceptable standard in a specific grade show an adequate understanding of the core knowledge and adequate basic skills essential to that course. Students achieving the standard of excellence consistently show a deeper understanding of the concepts of the course by demonstrating an ability to integrate information and evaluate it from various points of view.
- The percentage of students who achieved at the acceptable standard include students who achieved the standard of excellence.
- The tests are equated statistically to ensure that the standards remain constant even if test difficulty varies slightly from year to year.
- Overall achievement test results are weighted averages of results for all subjects and grades combined.

Age Appropriate Grade

- Data on age appropriate grade placement (AAG) is available only for children and youth in care in Alberta schools, not for all Alberta students, as this is not an indicator used by Alberta Education.
- Ungraded students, typically students with severe cognitive disabilities, are excluded from the AAG analysis. These students comprise between 0.1% and 0.5% per year of students in the matched file.
- Analysis of the 2006/07 AAG matched file, focusing on special needs students, found that:
  - the percentage of children and youth in care with a special education need code was 37%, higher than the rate for all Alberta students in Grades 1–9 of about 11%, excluding the gifted and talented code, as there were fewer than six students coded gifted and talented in the ACYS matched file.
  - the percentage of children and youth in care (Grades 1–9) in an age appropriate grade was similar for those having a special needs code (81.0%) and those who did not (83.8%).

Appendix C

Legislation Governing the Child and Youth Advocate

An excerpt from the Child, Youth and Family Enhancement Act *pertaining to the office of the Child and Youth Advocate. This excerpt is taken from the Revised Statutes of Alberta:*

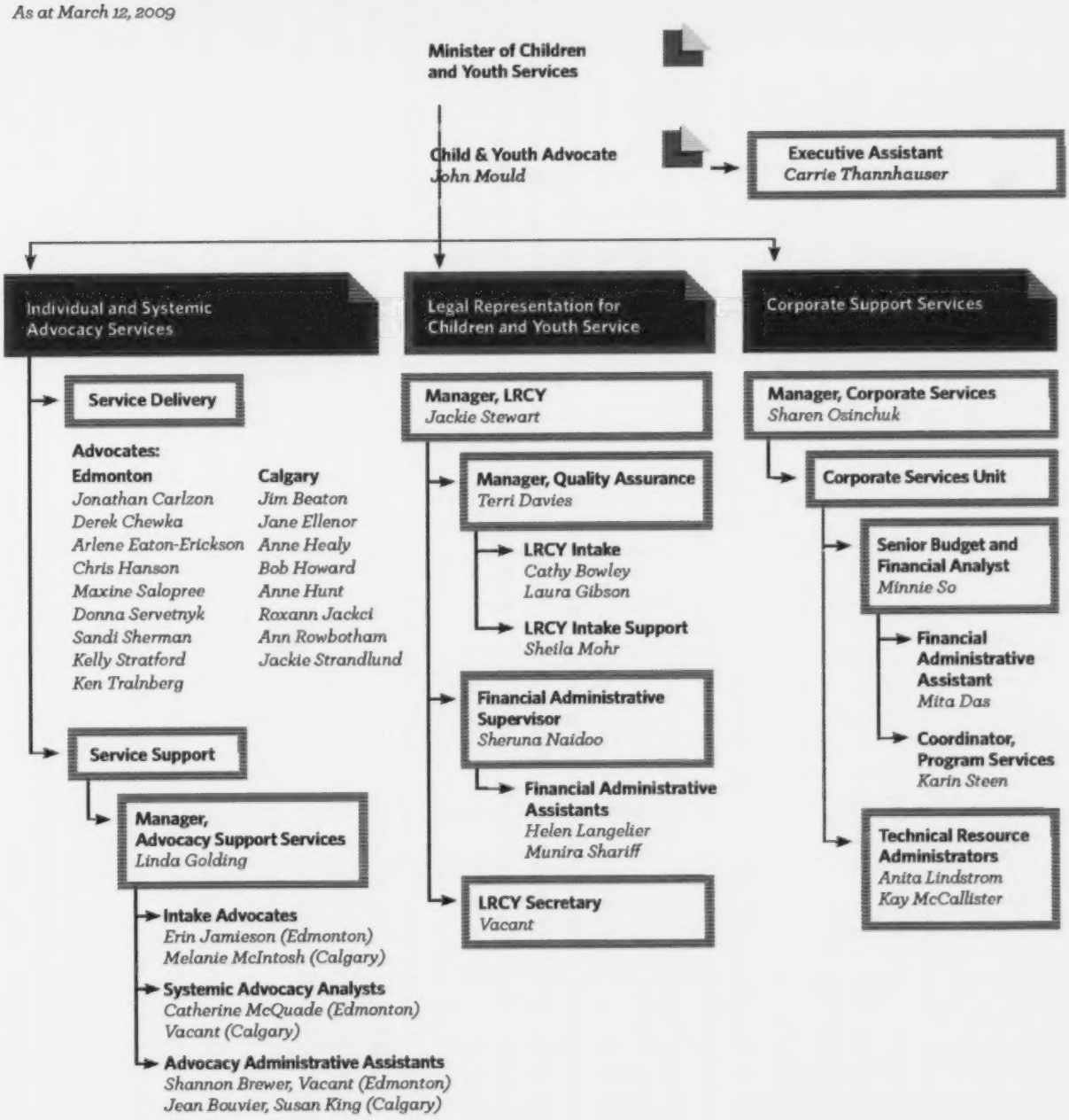
Office of Child and Youth Advocate

1. The Lieutenant Governor in Council may, on the recommendation of the Minister, appoint a Child and Youth Advocate, who shall hold office for a term not exceeding 5 years.
2. The Minister may authorize and provide for the payment of the remuneration and expenses of the Child and Youth Advocate and for the office and staff of the Child and Youth Advocate.
3. The Child and Youth Advocate shall
   a) advise the Minister on matters relating to the welfare and interests of children who receive services under this *Act* or the *Protection of Sexually Exploited Children Act* and the provision of those services;
   b) receive and review complaints or concerns that come to the attention of the Child and Youth Advocate respecting children who receive services under this *Act* or the *Protection of Sexually Exploited Children Act*;
   c) represent the rights, interests and viewpoints of children who receive services under this *Act* or the *Protection of Sexually Exploited Children Act*;
      c.1 if the Child and Youth Advocate considers it appropriate to do so, appoint, or cause to be appointed, lawyers to represent children who are receiving services
         i. under this *Act*, other than services under Part 2, or
         ii. under the *Protection of Sexually Exploited Children Act*;
   d) facilitate the involvement of family or community members in assisting in advocating for a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act*;
   e) perform additional duties and functions that are conferred on the Child and Youth Advocate by the regulations or that are from time to time assigned to the Child and Youth Advocate by the Minister;
   f) submit a report to the Minister every 3 months on the Child and Youth Advocate's activities and observations;
   g. prepare and submit Annual Reports to the Minister respecting the exercise of the duties and functions of the Child and Youth Advocate.
4. On receiving a report under subsection (3)(g), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting, and if not, within 15 days after the commencement of the next sitting.
5. For the purpose of performing the duties and functions of the Child and Youth Advocate, the Child and Youth Advocate may
   a) communicate with and visit a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act* or a guardian or other person who represents the child;
   b) have access to information relating to a child that is in the possession of a Director under this *Act* or under the *Protection of Sexually Exploited Children Act* or other person or agency providing services to a child on behalf of a Director under this *Act* or under the *Protection of Sexually Exploited Children Act*;
   c) at the request of a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act*, the Minister or any person acting on the child's behalf, review and make recommendations regarding any matter relating to the provision of services to the child under this *Act* or the *Protection of Sexually Exploited Children Act*;
   d) provide information relating to, speak on behalf of and otherwise represent a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act* when major decisions relating to the child are being made under this *Act* or the *Protection of Sexually Exploited Children Act*;
   e) on the initiative of the Child and Youth Advocate or at the request of a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act*, assist in appealing or reviewing a decision of a Director relating to the child;
   f) provide assistance and advice to an Appeal Panel or a Court with respect to a child who is receiving services under this *Act* or the *Protection of Sexually Exploited Children Act*.
6. The Child and Youth Advocate may delegate any duty or function conferred or imposed on the Child and Youth Advocate under this *Act*, the *Protection of Sexually Exploited Children Act* or the regulations under either *Act* in respect of a child
   a) to a person employed or engaged in the administration of this *Act* or the *Protection of Sexually Exploited Children Act*,
   b) to a person who provides care to the child, represents the child or is concerned about the welfare of the child, or
   c) to a family or community member referred to in subsection (3)(d) who is assisting in advocating for the child.

Appendix D

Organizational Chart 2008–09

As at March 12, 2009



PROVINCIAL OFFICE
805 Peace Hills Trust Tower
10011–109 Street
Edmonton, Alberta T5J 3S8

MAIN: 780–644–8281
FAX: 780–644–8833

For the services of an advocate in:

NORTHERN ALBERTA
803 Peace Hills Trust Tower
10011–109 Street
Edmonton, Alberta T5J 3S8

MAIN: 780–422–6056
FAX: 780–422–3675

SOUTHERN ALBERTA
406 Hillhurst Building
301–14 Street, NW
Calgary, Alberta T2N 2A1

MAIN: 403–297–8435
FAX: 403–297–4456

Or call us toll-free at 1–800–661–3446
Visit us at www.gov.ab.ca/advocate
Email us at ca.information@gov.ab.ca

For legal representation for young people:

802 Peace Hills Trust Tower
10011–109 Street
Edmonton, Alberta T5J 3S8

MAIN: 780–644–6951
FAX: 780–644–7227

Or call us toll-free at 1–888–890–2020
Visit us at www.gov.ab.ca/advocate
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